

2011

LRB-1187



Making of "/PI"

Feb. 6th - 12th,
2011

Pt. 04b

1 **(39) GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES.** The board
2 shall establish the Gaylord Nelson chair of integrated environmental studies ~~and~~
3 ~~seek private funding for this chair.~~

4 **(40) CENTER FOR COOPERATIVES.** The board shall maintain a center for
5 cooperatives at the University of Wisconsin. The center shall comply with the
6 requirements specified in s. 125.545 (5) (a).

7 **(47) ARMED FORCES.** If a student who is a member of a national guard or a
8 member of a reserve unit of the U.S. armed forces withdraws from school after
9 September 11, 2001, because he or she is called into state active duty or into active
10 service with the U.S. armed forces for at least 30 days, the board shall reenroll the
11 student beginning in the semester in which he or she is discharged, demobilized, or
12 deactivated from active duty or the next succeeding semester, whichever the student
13 prefers, shall give the student the same priority in registering for courses that the
14 student would have had if he or she had registered for courses at the beginning of the
15 registration period, and, at the student's request, do one of the following for all
16 courses from which the student had to withdraw:

17 (a) Reimburse the student all tuition and fees paid for all the courses and a
18 prorated portion of room and board payments.

19 (b) Grant the student an incomplete in all the courses and permit the student
20 to complete the courses, within 6 months after leaving state service or active service,
21 without paying additional tuition or fees.

22 **(48) REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES.** The
23 board shall report annually to the department of administration on utility charges
24 in the following fiscal year to fund principal and interest costs incurred in purchasing
25 the Walnut Street steam and chilled-water plant enumerated under 2003 Wisconsin

1 and related rules on the effective date of this paragraph [LRB inserts date], shall
2 continue to hold tenure under that subsection and related rules.

3 ~~(b) Any person who holds the equivalent of a probationary appointment under~~
4 ~~ch. 36, 1971 stats., and ch. 37, 1971 stats., and related rules on July 10, 1974 shall~~
5 ~~continue to enjoy the contractual rights and guarantees as defined under those~~
6 ~~chapters and related rules, and may elect to be considered for tenure according to the~~
7 ~~procedures existing under that appointment or under sub. (2).~~ Any person who holds
8 ~~the equivalent of a probationary appointment under sub. (2) (d) and related rules~~
9 shall continue to enjoy the contractual rights and guarantees as defined under that
10 paragraph and related rules, and may elect to be considered for tenure according to
11 ~~the procedures existing under that appointment.~~

on the
effective
date of
this
paragraph
[LRB inserts
date]

12 ~~(c) Any person who is not a ranked faculty member on August 15, 1991, and who~~
13 ~~is also described under subd. 1. or 2. shall be treated as a faculty member with the~~
14 ~~rank of associate professor for all purposes:~~

15 1. ~~Any person who held an unranked faculty tenure appointment or unranked~~
16 ~~faculty concurrent tenure appointment under ch. 37, 1971 stats., prior to July 10,~~
17 ~~1974.~~

18 2. ~~Any person who held an unranked probationary appointment under ch. 37,~~
19 ~~1971 stats., prior to July 10, 1974, and who subsequently received an unranked~~
20 ~~faculty tenure appointment or unranked faculty concurrent tenure appointment.~~

21 (5) PROCEDURAL GUARANTEES. Any person having tenure may be dismissed only
22 for just cause and only after due notice and hearing. Any person having a
23 probationary appointment may be dismissed prior to the end of the person's contract
24 term only for just cause and only after due notice and hearing. The action and
25 decision of the board in such matters shall be final. The board and its several

1 faculties shall develop procedures for the notice and hearing which shall be
2 promulgated by rule.

3 **37.14 Wisconsin distinguished professorships.** (1) The board may
4 establish distinguished professorships under this section.

5 (2) The board may pay under this section the salary and fringe benefit costs
6 of the professor holding the distinguished professorship and of any graduate
7 assistant assigned to the professor, and the equipment, supplies and travel costs of
8 the professor and the graduate assistants assigned to the professor.

9 **37.21 Lapse of appointments.** Notwithstanding ss. 37.13 (4) and 37.15 (2)
10 and (3), the board may, with appropriate notice, terminate any appointment when
11 a financial emergency exists. No person may be employed at the university within
12 2 years to perform reasonably comparable duties to those of the person whose
13 appointment was terminated without first offering such person a reappointment.
14 The board, after consultation with the faculty and chancellor, shall adopt procedures
15 to be followed in the event of termination under this section.

16 **37.23 Conflict of interest.** No member of the board of trustees, or other
17 person appointed or employed in any position in the university, may at any time act
18 as an agent for any person or organization if the act would create a conflict of interest
19 with the terms of the person's service in the university. The board shall define
20 conflicts of interest and adopt policies related thereto.

21 **37.25 Special programs.** (2) WISCONSIN RESIDENTS PREFERENCE IN HOUSING.
22 Preference as to rooming, boarding and apartment facilities in the use of living units
23 operated by ^{the}any university shall, for the following school year, be given to students
24 who are residents of this state and who apply before March 15, unless a later date
25 is set by the board. Such preference shall be granted in accordance with categories

37.15 see attached
37.19 see attached.

37.15 Academic staff appointments. A person having an academic staff appointment for a term may be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. A person having an academic staff appointment for an indefinite term who has attained permanent status may be dismissed only for just cause and only after due notice and hearing.

37.19 Other appointments. The board may make or authorize fixed term appointments for student assistants and employees in training, such as residents, interns, post-doctoral fellows or trainees or associates. Appointments made under this section shall not be subject to s. 37.15.

1 (5) STATE EDUCATIONAL RADIO AND TELEVISION NETWORKS. (a) Except as provided
2 in par. (b), the board ^{may} ~~shall~~ grant the educational communications board the
3 part-time use of equipment and space necessary for the operations of the state
4 educational radio and television networks pursuant to the affiliation agreement
5 between the educational communications board and the board of regents required
6 under s. 36.25 (5).

> add 36.25 (5)(b) here as 37.25(5)(b)

****NOTE: As requested, we transferred the 2nd sentence of s. 36.25 (5) (a) to s. 37.25
(5) (a). However, we think it is necessary to refer to the affiliation agreement between
the ECB and Board of Regents. Let us know whether the above is okay.

7 (9) CLEARING CUTOVER LANDS. The board through the College of Agricultural
8 and Life Sciences may cause an investigation to be made of methods of clearing
9 cutover lands, perform experiments and demonstrations in conjunction therewith
10 and provide related services to individual citizens at cost.

11 (14m) MINORITY AND DISADVANTAGED PROGRAMS. (a) The board shall allocate
12 funds under s. 20.280 (4) (a) to fund programs for recruiting minority and
13 disadvantaged students and to fund programs for minority and disadvantaged
14 students enrolled in the ^{university.} ~~system.~~

15 (b) Annually by April 15, the board shall adopt a precollege, recruitment and
16 retention plan for minority and disadvantaged students enrolled in the ^{university} ~~system.~~

17 (c) Annually by April 15, the board shall submit a report to the governor and
18 to the chief clerk of each house of the legislature for distribution to the appropriate
19 standing committees under s. 13.172 (3). The report shall include all of the following:

- 20 1. The plan adopted under par. (b).
21 2. All financial aid distributed to students, categorized by ethnic group, class
22 level and dependency status. The report shall include information on financial need,

1 **37.29 Gifts. (1)** All gifts, grants, and bequests for the benefit or advantage
2 of the university or any of its departments or facilities or to provide any means of
3 instruction, illustration, or knowledge in connection therewith, whether made to
4 trustees or otherwise, shall be valid notwithstanding any other provision of this
5 chapter except as otherwise provided in this subsection and shall be executed and
6 enforced according to the provisions of the instrument making the same, including
7 all provisions and directions in any such instrument for accumulation of the income
8 of any fund or rents and profits of any real estate without being subject to the
9 limitations and restrictions provided by law in other cases. No investment of the
10 funds of such gifts, grants, or bequests shall knowingly be made in any company,
11 corporation, subsidiary, or affiliate that practices or condones through its actions
12 discrimination on the basis of race, religion, color, creed, or sex. This subsection does
13 not apply to a gift, grant, or bequest that the board declines to accept or that the board
14 is not authorized to accept under this section.

15 **(2)** All gifts, grants, or bequests under sub. (1) may be made to the board, the
16 chancellor, or any officer, or to any person as trustee, or may be charged upon any
17 personal representative, trustee, heir, devisee, or legatee, or made in any other
18 manner indicating an intention to create a trust, and may be made as well for the
19 benefit of the university or any of its schools, ^{colleges,} departments, or facilities to provide any
20 means of instruction, illustration, or knowledge in connection therewith, or for the
21 benefit of any students or any class or group of students whether by way of
22 scholarship, fellowship, or otherwise, or whether for the benefit of students or any
23 class or group of students in any course, subcourse, special course, postgraduate
24 course, summer school or teachers course, oratorical or debating course, laboratory,
25 shop, lectureship, drill, gymnasium or any other like division or department of study,

1 experiment, research, observation, travel, or mental or physical improvement in any
2 manner connected with the university, or to provide for the voluntary retirement of
3 any of the faculty.

4 (3) It shall not be necessary for a gift, grant, devise or bequest to exactly or
5 particularly describe the members of a class or group of students intended to be the
6 beneficiaries, but it shall be sufficient to describe the class or group. In such case,
7 the board shall divide, graduate or otherwise categorize the students into such
8 classes or groups as are necessary to select and determine those students belonging
9 to the class or group intended.

10 (4) Any grant, contract, gift, endowment, trust or segregated funds bequeathed
11 or assigned to the university or its component parts for any purpose whatsoever shall
12 not be commingled or reassigned.

13 (5) Notwithstanding sub. (4), the board may transfer any gift or grant to the
14 University of Wisconsin Foundation, Inc. if the transfer is consistent with the terms
15 of the gift or grant.

*or trust or
segregated
funds
bequeathed
or assigned
to the
university*

16 **37.30 Sick leave.** Leave of absence with pay for university employees, owing
17 to sickness, shall be regulated by board policy, except that unused sick leave shall
18 accumulate from year to year.

19 **37.32 Student identification numbers.** The university may assign to each
20 enrolled student a unique identification number. The university shall not assign to
21 any student an identification number that is identical to or incorporates the
22 student's social security number. This section does not prohibit the university from
23 requiring a student to disclose his or her social security number, nor from using a
24 student's social security number if such use is required by a federal or state agency

1 approved by the county child support agency under s. 59.53 (5) and that is consistent
2 with rules promulgated under s. 49.858 (2) (a).

3 **37.35 Misconduct; campus security. (1) POWER TO SUSPEND AND EXPEL.** The
4 board may delegate the power to suspend or expel students for misconduct or other
5 cause prescribed by the board. The board shall adopt policies governing student
6 conduct and procedures for the administration of violations.

7 **(2) AUTHORITY TO RESTRICT PRESENCE OF PERSONS ON CAMPUS.** The chancellor or
8 the university's chief security officer during a period of immediate danger or
9 disruption may designate periods of time during which the campus and designated
10 buildings and facilities connected therewith are off limits to all persons who are not
11 faculty, staff, employees, students or other personnel authorized by the above named
12 officials. Any person violating such an order shall be subject to the penalties
13 provided by law for criminal trespass.

14 **(3) REQUIRING PERMISSION FOR PRESENCE ON CAMPUS.** Any person who is convicted
15 of any crime involving danger to property or persons as a result of conduct by that
16 person which obstructs or seriously impairs activities run or authorized by the
17 university and who, as a result of such conduct, is in a state of suspension or
18 expulsion from the university, and who enters university property without
19 permission of the chancellor or the chancellor's designee within 2 years, may for each
20 such offense be fined not more than \$500 or imprisoned not more than 6 months, or
21 both.

22 ~~**37.36 Grants for study abroad.** The board may award a grant of up to \$2,000~~
23 ~~to a resident undergraduate student to assist in paying the costs associated with the~~
24 ~~student's study abroad if the student satisfies all of the following criteria:~~

1 ~~(1) The student demonstrates financial need for the grant, as determined by~~
2 ~~the board.~~

3 ~~(2) The student is enrolled full-time in the system in the semester preceding~~
4 ~~the student's study abroad.~~

5 ~~(3) The student is enrolled in a program leading to a bachelor's degree.~~

6 **37.40 Use of animals for research purposes.** The board shall adopt criteria
7 for researchers to follow regarding humane treatment of animals for scientific
8 research purposes.

9 **37.43 Accommodation of religious beliefs.** The board shall adopt policies
10 providing for the reasonable accommodation of a student's sincerely held religious
11 beliefs with regard to all examinations and other academic requirements. The rules
12 shall include all of the following:

13 (1) Written and timely notification of all students and instructors of the rules
14 and complaint process.

15 (2) A means by which a student can conveniently and confidentially notify an
16 instructor of potential conflicts.

17 (3) A means by which a student is permitted to make up an examination or
18 academic requirement at another time or by an alternative means without any
19 prejudicial effect.

20 (4) A procedure for handling and resolving complaints.

21 **37.44 License plate scholarship program.** (1) The board shall establish
22 a scholarship program funded by the fees collected under s. 341.14 (6r) (b) 4. for the
23 university. The scholarships shall be awarded by the chancellor according to criteria
24 developed by the chancellor.

1 The match may be in the form of money or in-kind services or both, but may not
2 include money received from the state.

3 **37.60 Physician loan assistance program. (1) DEFINITIONS.** In this section:

4 (ac) "Clinic hours" means hours spent working with patients in a clinic.

5 (d) "Rural area" has the meaning given in s. 37.63 (1) (c).

6 **(2) ELIGIBILITY.** (a) 1. Except as provided in subd. 2., the board may repay, on
7 behalf of a physician, up to \$50,000 in educational loans obtained by the physician
8 from a public or private lending institution for education in an accredited school of
9 medicine or for postgraduate medical training.

10 (b) A physician who is a participant in the national health service corps
11 scholarship program under 42 USC 254n, or a physician who was a participant in
12 that program and who failed to carry out his or her obligations under that program,
13 is not eligible for loan repayment under this section.

14 **(3) AGREEMENT.** (b) The agreement shall specify that the responsibility of the
15 board to make the payments under the agreement is subject to the availability of
16 funds as determined by the board.

****NOTE: Note new language regarding "subject to the availability of funds as
determined by the board."

17 **(4) LOAN REPAYMENT.** Except as provided in sub. (4m), principal and interest due
18 on loans, exclusive of any penalties, may be repaid by the board at the following rate:

19 (a) Up to 40% of the principal of the loan or \$20,000, whichever is less, during
20 the first year of participation in the program under this section.

21 (b) Up to an additional 40% of the principal of the loan or \$20,000, whichever
22 is less, during the 2nd year of participation in the program under this section.

*(4m) does not appear
in draft. Needs
to be added.*

1 5. The geographic distribution of the physicians who have entered into loan
2 repayment agreements under this section and the geographic distribution of the
3 eligible practice areas, health professional shortage areas, and rural areas in which
4 the eligible applicants desire to practice.

5 6. Other considerations that the board may specify.

 ****NOTE: We eliminated the requirement to specify "by rule." *OK*.

6 (d) An agreement under sub. (3) does not create a right of action against the
7 state, ^{the university of wisconsin,} or ~~its~~ instrumentalities on the part of the physician or lending institution for
8 failure to make the payments specified in the agreement. ^{other of the state}

9 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the
10 program under this section by counties, cities, villages, and towns.

11 (6m) PENALTIES. (a) The board shall establish requirements for penalties to
12 be assessed by the board against physicians who breach agreements entered into
13 under sub. (3). The requirements shall do all of the following:

 ****NOTE: We eliminated the requirement to establish penalties by rule. *OK*.

14 1. Specify what actions constitute a breach of the agreement.

15 2. Provide specific penalty amounts for specific breaches.

16 3. Provide exceptions for certain actions, including breaches resulting from
17 death or disability.

18 (b) The board shall use any penalties assessed and collected under this
19 subsection for the program under this section.

 ****NOTE: We eliminated the reference to the appropriation under s. 20.285 (1) (j)(c).

20 (8) ADMINISTRATION. The board shall do all of the following:

21 (b) Identify eligible practice areas and rural areas with an extremely high need
22 for medical care.

1 (d) Publicize the program under this section to physicians and eligible
2 communities.

3 (e) Assist physicians who are interested in applying for the program under this
4 section.

5 (f) Assist communities in obtaining physicians' services through the program
6 under this section.

7 (g) Make recommendations to the governor on all of the following:

8 1. Ways to improve the delivery of health care to persons living in rural areas
9 of the state that constitute shortage areas.

10 2. Ways to help communities evaluate and utilize the linkage between rural
11 health facilities and economic development.

12 3. Coordination of state and federal programs available to assist rural health
13 care service delivery.

14 4. Strengthening coordination and maintenance of rural services and the
15 delivery system.

16 5. Development of mechanisms to reduce shortages of health care providers in
17 rural areas.

18 (h) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys
19 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans
20 on behalf of physicians who agree to practice in a rural area.

21 (9) EXPANDED LOAN ASSISTANCE PROGRAM. The board may agree to repay loans
22 as provided under this section on behalf of a physician under an expanded physician
23 loan assistance program that is funded through federal funds in addition to state
24 matching funds. ^{specifically appropriated by the legislature for this purpose.} To be eligible for loan repayment under the expanded physician

1 loan assistance program, a physician must fulfill all of the requirements for loan
2 repayment under this section, as well as all of the following:

****NOTE: How does one determine what constitutes state matching funds?
Appropriation from S. 20.280 (1)(g).

- 3 (a) The physician must be a U.S. citizen.
- 4 (b) The physician may not have a judgment lien against his or her property for
5 a debt to the United States.

6 (c) The physician must agree to do all of the following:

7 1. Accept medicare assignment as payment in full for services or articles
8 provided.

9 2. Use a sliding fee scale or a comparable method of determining payment
10 arrangements for patients who are not eligible for medicare or medical assistance
11 and who are unable to pay the customary fee for the physician's services.

12 3. Practice at a public or private nonprofit entity in a health professional
13 shortage area.

14 **37.61 Health care provider loan assistance program. (1) DEFINITIONS.**

15 In this section:

16 (ac) "Clinic hours" has the meaning given in s. ⁷37.60 (1) (ac).

17 (ad) "Council" means the rural health development council.

18 (e) "Rural area" has the meaning given in s. 37.63 (1) (c).

19 **(2) ELIGIBILITY.** The board may repay, on behalf of a health care provider, up
20 to \$25,000 in educational loans obtained by the health care provider from a public
21 or private lending institution for education related to the health care provider's field
22 of practice, as determined by the board with the advice of the council.

23 **(3) AGREEMENT.** (a) The board shall enter into a written agreement with the
24 health care provider. In the agreement, the health care provider shall agree to

1 practice at least 32 clinic hours per week for 3 years in one or more eligible practice
2 areas in this state or in a rural area, except that a health care provider in the
3 expanded loan assistance program under sub. (8) may only agree to practice at a
4 public or private nonprofit entity in a health professional shortage area.

5 (b) The agreement shall specify that the responsibility of the board to make the
6 payments under the agreement is subject to the availability of funds as determined
7 by the board.

****NOTE: Note the new language regarding the availability of funds "as
determined by the board." ~~OK~~.

8 (4) LOAN REPAYMENT. Principal and interest due on loans, exclusive of any
9 penalties, may be repaid by the board at the following rate:

10 (a) Up to 40% of the principal of the loan or \$10,000, whichever is less, during
11 the first year of participation in the program under this section.

12 (b) Up to an additional 40% of the principal of the loan or \$10,000, whichever
13 is less, during the 2nd year of participation in the program under this section.

14 (c) Up to an additional 20% of the principal of the loan or \$5,000, whichever is
15 less, during the 3rd year of participation in the program under this section.

16 (5) AVAILABILITY OF FUNDS; RIGHT OF ACTION AGAINST STATE. (a) The obligation of
17 the board to make payments under an agreement entered into under sub. (3) is
18 subject to the availability of funds as determined by the board.

****NOTE: Note the new language regarding the availability of funds "as
determined by the board." ~~OK~~.

19 (b) If the cost of repaying the loans of all eligible applicants, when added to the
20 cost of loan repayments scheduled under existing agreements, exceeds the total
21 amount of available funds, as determined by the board, the board shall establish
22 priorities among the eligible applicants based upon the following considerations:

****NOTE: Note the new language regarding exceeding "the amount of available funds, as determined by the board." *OK*

1 1. The degree to which there is an extremely high need for medical care in the
2 eligible practice area, health professional shortage area, or rural area in which an
3 eligible applicant desires to practice.

4 2. The likelihood that an eligible applicant will remain in the eligible practice
5 area, health professional shortage area, or rural area in which he or she desires to
6 practice after the loan repayment period.

7 3. The per capita income of the eligible practice area, health professional
8 shortage area, or rural area in which an eligible applicant desires to practice.

9 4. The financial or other support for health care provider recruitment and
10 retention provided by individuals, organizations or local governments in the eligible
11 practice area, health professional shortage area, or rural area in which an eligible
12 applicant desires to practice.

13 5. The geographic distribution of the health care providers who have entered
14 into loan repayment agreements under this section and the geographic location of
15 the eligible practice area, health professional shortage area, or rural area in which
16 an eligible applicant desires to practice.

17 6. Other considerations that the board may specify.

****NOTE: We eliminated the requirement to specify considerations "by rule." *OK*

18 (c) An agreement under sub. (3) does not create a right of action against the
19 *the university of wisconsin,* state, or *its* instrumentalities, on the part of the health care provider or the lending
20 *other of the state* institution for failure to make the payments specified in the agreement.

21 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the
22 program under this section by counties, cities, villages and towns.

1 **(6m) PENALTIES.** (a) The board shall establish requirements for penalties to
2 be assessed by the board against health care providers who breach an agreement
3 entered into under sub. (3) (a). The requirements shall do all of the following:

 ****NOTE: We eliminated the requirement for the board to establish penalties by
rule. *OK*

- 4 1. Specify what actions constitute a breach of the agreement.
- 5 2. Provide specific penalty amounts for specific breaches.
- 6 3. Provide exceptions for certain actions, including breaches resulting from
7 death or disability.

8 (b) The board shall use any penalties assessed and collected under this
9 subsection for the program under this section.

 ****NOTE: We eliminated the reference to the appropriation under s. 20.285 (1) (jc). *OK*

10 **(7) ADMINISTRATION.** The board shall do all of the following:

- 11 (a) Identify communities with an extremely high need for health care.
- 12 (b) Publicize the program under this section to health care providers and
13 eligible communities.
- 14 (c) Assist health care providers who are interested in applying for the program
15 under this section.
- 16 (d) Assist communities in obtaining the services of health care providers
17 through the program under this section.
- 18 (e) Notwithstanding subs. (3) (b) and (5) (a) and (b), ensure that moneys
19 appropriated under s. 20.280 (1) (qj) are used under this section only to repay loans
20 on behalf of health care providers who agree to practice in a rural area.

21 **(8) EXPANDED LOAN ASSISTANCE PROGRAM.** The board may agree to repay loans
22 as provided under this section on behalf of a health care provider under an expanded
23 health care provider loan assistance program that is funded through federal funds

1 in addition to state matching funds. To be eligible for loan repayment under the ^{specifically appropriated by the legislature} ~~the~~ ^{for this} ~~purpose.~~
2 expanded health care provider loan assistance program, a health care provider must
3 fulfill all of the requirements for loan repayment under this section, as well as all of
4 the following:

****NOTE: How does one determine what constitutes state matching funds?

5 (a) The health care provider must be a U.S. citizen.

6 (b) The health care provider may not have a judgment lien against his or her
7 property for a debt to the United States.

8 (c) The health care provider must agree to do all of the following:

9 1. Accept medicare assignment as payment in full for services or articles
10 provided.

11 2. Use a sliding fee scale or a comparable method of determining payment
12 arrangements for patients who are not eligible for medicare or medical assistance
13 and who are unable to pay the customary fee for the health care provider's services.

14 3. Practice at a public or private nonprofit entity in a health professional
15 shortage area.

16 **37.62 Rural health development council.** The rural health development
17 council created under s. 15.917 (1) shall do all of the following:

18 (1) Advise the board on matters related to the physician loan assistance
19 program under s. 37.60 and the health care provider loan assistance program under
20 s. 37.61.

21 (2) Advise the board on the amount, up to \$25,000, to be repaid on behalf of each
22 health care provider who participates in the health care provider loan assistance
23 program under s. 37.61.

24 ~~Add s. 37.63~~
SECTION 329. 39.16 (1) of the statutes is amended to read:

1 determine the total amount of reimbursement due to students under ss. 36.27 (3n)
2 (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and
3 (8) (bm) 1. If the moneys appropriated under s. 20.235 (1) (fz) are not sufficient to
4 provide full reimbursement to those students, the higher educational aids board
5 shall prorate the reimbursement paid to those students under ss. 36.27 (3n) (bm) 1.
6 and (3p) (bm) 1., 37.27 (3n) (bm) 1. and (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm)
7 1. in the proportion that the moneys available bears to the total amount eligible for
8 reimbursement under ss. 36.27 (3n) (bm) 1. and (3p) (bm) 1., 37.27 (3n) (bm) 1. and
9 (3p) (bm) 1., and 38.24 (7) (bm) 1. and (8) (bm) 1. If the higher educational aids board
10 prorates reimbursement under this subsection, the Board of Regents shall reimburse
11 a student who is eligible for reimbursement under s. 36.27 (3n) (bm) 1. or (3p) (bm)
12 1., the Board of Trustees shall reimburse a student who is eligible for reimbursement
13 under s. 37.27 (3n) (bm) 1. or (3p) (bm) 1., and the appropriate technical college
14 district board shall reimburse a student who is eligible for reimbursement under s.
15 38.24 (7) (bm) 1. or (8) (bm) 1., in an amount that is equal to the difference between
16 the amount of reimbursement for which the student is eligible and the amount of
17 reimbursement paid by the higher educational aids board.

18 **SECTION 350.** 40.02 (22) (em) of the statutes is amended to read:

19 40.02 (22) (em) For Wisconsin retirement system purposes only, for a member
20 of ~~the~~ ⁽⁶⁾ a faculty, as defined in s. 36.05 (8) ~~or 37.01 (6)~~, of a university who is on
21 sabbatical leave under s. 36.11 (17) ~~or 37.11 (17)~~, means the compensation that would
22 have been payable to the participant, at the participant's rate of pay immediately
23 prior to beginning the sabbatical leave, for service that would have been rendered at
24 the university during the period of the sabbatical leave if the participant had
25 continued to render services for the participant's employer during that period.

1 Contributions and premiums on earnings considered to be received under this
2 paragraph shall be paid as required under s. 40.05.

3 **SECTION 351.** 40.02 (25) (b) 2. of the statutes is amended to read:

4 40.02 (25) (b) 2. Any person employed as a graduate assistant and other
5 employees-in-training as are designated by the board of regents or board of trustees
6 of the university, who are employed on at least a one-third full-time basis.

7 *Add 40.02(28) to include University of Wisconsin as*
SECTION 352. 40.02 (48) (c) of the statutes is amended to read: *"employer!"*

8 40.02 (48) (c) In s. 40.65, "protective occupation participant" means a
9 participating employee who is a police officer, fire fighter, an individual determined
10 by a participating employer under par. (a) or (bm) to be a protective occupation
11 participant, county undersheriff, deputy sheriff, state probation and parole officer,
12 county traffic police officer, conservation warden, state forest ranger, field
13 conservation employee of the department of natural resources who is subject to call
14 for forest fire control or warden duty, member of the state traffic patrol, state motor
15 vehicle inspector, University of Wisconsin or University of Wisconsin System
16 full-time police officer, guard or any other employee whose principal duties are
17 supervision and discipline of inmates at a state penal institution, excise tax
18 investigator employed by the department of revenue, person employed under s. 61.66
19 (1), or special criminal investigation agent employed by the department of justice.

20 **SECTION 353.** 40.02 (54) (hm) of the statutes is created to read:

21 40.02 (54) (hm) The University of Wisconsin.

****NOTE: The above includes UW within the definition of "state agency" for
purposes of ch. 40 (public employee trust fund). *OK*

22 **SECTION 354.** 40.02 (57) of the statutes is amended to read:

1 40.02 (57) "University" means the University of Wisconsin System under ch.
2 36 or the University of Wisconsin under ch. 37.

3 **SECTION 355.** 40.05 (4) (bp) 2. of the statutes is amended to read:

4 40.05 (4) (bp) 2. The limits on conversion of accumulated unused sick leave
5 which are specified under subd. 1. may be waived for nonteaching faculty who are
6 appointed to work 52 weeks per year and nonteaching academic staff personnel if the
7 secretary of administration determines that a sick leave accounting system
8 comparable to the system used by the state for employees in the classified service is
9 in effect at the University of Wisconsin or the institution, as defined in s. 36.05 (9),
10 and if the University of Wisconsin or the institution regularly reports on the
11 operation of its sick leave accounting system to the board of trustee^s of the University
12 of Wisconsin or the board of regents of the University of Wisconsin System.

13 **SECTION 356.** 40.05 (4) (bp) 3. of the statutes is amended to read:

14 40.05 (4) (bp) 3. The limits on conversion of accumulated unused sick leave
15 which are specified under subd. 1. may be waived for teaching faculty or teaching
16 academic staff at the University of Wisconsin or any institution, as defined in s. 36.05
17 (9), if the secretary of administration determines all of the following:

18 a. That administrative procedures for the crediting and use of earned sick leave
19 for teaching faculty and teaching academic staff on a standard comparable to a
20 scheduled 40-hour work week are in operation at the University of Wisconsin or
21 institution.

22 b. That a sick leave accounting system for teaching faculty and teaching
23 academic staff comparable to the system used by state employees in the classified
24 service is in effect at the University of Wisconsin or institution.

1 c. That the University of Wisconsin or institution regularly reports on the
2 operation of its sick leave accounting system to the board of trustees of the University
3 of Wisconsin or the board of regents of the University of Wisconsin System.

4 SECTION 357. 40.05 (5) (a) of the statutes is amended to read:

5 40.05 (5) (a) For teachers in the unclassified service of the state employed by
6 the ~~board of trustees~~ or board of regents of the university, ^{or for teachers employed by} no contribution if the ^{the board}
7 teacher has less than one year of state creditable service and an amount equal to the ^{of trustees}
8 gross premium for coverage subject to a 130-day waiting period if the teacher has ^{of the}
9 one year or more of state creditable service. ^{University}
^{of Wisconsin}

10 SECTION 358. 40.22 (2) (g) of the statutes is amended to read:

11 40.22 (2) (g) The employee is appointed by the ~~university~~ board of regents of
12 the University of Wisconsin System under s. 36.19, ^{under S. 37.19,} by the board of trustees of the
13 University of Wisconsin, or by the University of Wisconsin Hospitals and Clinics
14 Authority, as a student assistant or employee in training or is appointed by a school
15 or other education system in which the person is regularly enrolled as a student and
16 is attending classes to perform services incidental to the person's course of study at
17 that school or education system.

18 SECTION 359. 40.22 (2) (h) of the statutes is amended to read:

19 40.22 (2) (h) The employee is teaching while on leave from an educational
20 institution not a part of the University of Wisconsin or University of Wisconsin
21 System, if the person is a visiting professor, visiting associate professor, visiting
22 assistant professor or visiting lecturer at the university and if the employment at the
23 university is all within 12 consecutive calendar months. If the employment at the
24 university is continued beyond the 12-month period the person shall, at the start of

1 the 13th consecutive calendar month of employment, come under the system for
2 future service.

3 **SECTION 360.** 40.52 (3) of the statutes is amended to read:

4 40.52 (3) The group insurance board, after consulting with the board of trustee^s
5 of the University of Wisconsin and the board of regents of the University of Wisconsin
6 System, shall establish the terms of a health insurance plan for graduate assistants,
7 and for employees-in-training designated by the board of regents, who are employed
8 on at least a one-third full-time basis and for teachers who are employed on at least
9 a one-third full-time basis by the University of Wisconsin or University of Wisconsin
10 System with an expected duration of employment of at least 6 months but less than
11 one year.

12 **SECTION 361.** 40.95 (1) (a) 1. of the statutes is amended to read:

13 40.95 (1) (a) 1. The employee accrues accumulated unused sick leave under s.
14 13.121 (4), 36.30, 37.30, 230.35 (2), 233.10 or 757.02 (5).

****NOTE: Other changes to ch. 40 may be necessary to maintain the benefits of UW
employees. Also, changes may be necessary to ensure that current employees maintain
their employment.

Need to
Discuss

15 **SECTION 362.** 44.02 (5g) (a) of the statutes is amended to read:

16 44.02 (5g) (a) Not charge a fee for use of the main library by any member of the
17 historical society, any member of the faculty or academic staff of the University of
18 Wisconsin or University of Wisconsin System, any student enrolled in the University
19 of Wisconsin or University of Wisconsin System or any other person exempted by rule
20 of the historical society. The historical society may not charge a fee for use of the main
21 library by any other person unless the historical society submits a fee schedule to the
22 joint committee on finance that includes the specific fee to be charged to different
23 categories of persons and an identification of any persons exempted by rule of the

1 nonprofit college or university having its regional headquarters and principal place
2 of business in this state.

3 **SECTION 388.** 71.07 (8r) (a) 4. of the statutes is amended to read:

4 71.07 (8r) (a) 4. "Educational institution" means the Wisconsin Technical
5 College System, the University of Wisconsin-Extension, the University of
6 ~~Wisconsin-Madison~~ Wisconsin, or any other institution that is approved by the
7 department of agriculture, trade and consumer protection under s. 93.53 (6) (a).

8 **SECTION 389.** 71.10 (5f) (i) of the statutes is amended to read:

9 71.10 (5f) (i) *Appropriations.* From the moneys received from designations for
10 the breast cancer research program, an amount equal to the sum of administrative
11 expenses, including data processing costs, certified under par. (h) 1. shall be
12 deposited in the general fund and credited to the appropriation account under s.
13 20.566 (1) (hp), and, of the net amount remaining that is certified under par. (h) 3.,
14 an amount equal to 50 percent shall be credited to the appropriation account under
15 s. 20.250 (2) (g) and an amount equal to 50 percent shall be credited to the
16 appropriation account under s. ~~20.285~~ 20.280 (1) (gm). *Note: not sure specific*

17 **SECTION 390.** 71.10 (5h) (i) of the statutes is amended to read: *← appropriation will be created for this,*

18 71.10 (5h) (i) *Appropriations, disbursement of funds to the fund.* From the
19 moneys received from designations for the prostate cancer research program, an
20 amount equal to the sum of administrative expenses, including data processing
21 costs, certified under par. (h) 1. shall be deposited in the general fund and credited
22 to the appropriation account under s. 20.566 (1) (hp), and the net amount remaining
23 that is certified under par. (h) 3. shall be credited to the appropriation accounts under
24 ss. 20.250 (2) (h) and ~~20.285~~ 20.280 (1) (gn), for the use specified under s. 255.054 (1). *or this*

25 **SECTION 391.** 71.26 (1) (be) of the statutes is amended to read:

1 responsibility of the board of regents of the University of Wisconsin System, the
2 board of trustees of the University of Wisconsin, or the state boards, commissions,
3 departments or officers involved.

4 **SECTION 401.** 92.025 (4) of the statutes is amended to read:

5 92.025 (4) INTERIM GOAL; STATE-RUN FARMS. The soil erosion rate on individual
6 cropland fields of farms owned by the University of Wisconsin System, the University
7 of Wisconsin, or any other department or agency of state government does not exceed
8 the tolerable soil erosion level on or after July 1, 1990.

9 **SECTION 402.** 92.04 (2) (g) of the statutes is amended to read:

10 92.04 (2) (g) *Advise the University of Wisconsin System and University of*
11 *Wisconsin*. The board shall advise the University of Wisconsin System and
12 University of Wisconsin annually on needed research and educational programs
13 relating to soil and water conservation.

14 **SECTION 403.** 92.05 (3) (d) of the statutes is amended to read:

15 92.05 (3) (d) *Advise University of Wisconsin System and University of*
16 *Wisconsin*. The department shall advise the University of Wisconsin System and
17 University of Wisconsin annually on developing research and educational programs
18 relating to soil and water conservation.

19 **SECTION 404.** 92.07 (5) of the statutes is amended to read:

20 92.07 (5) EDUCATIONAL AND OTHER PROGRAMS. Each land conservation
21 committee may encourage research and educational, informational and public
22 service programs, advise the University of Wisconsin and University of Wisconsin
23 ~~System~~ on educational needs and assist the University of Wisconsin and University
24 ~~of Wisconsin System~~ and the department in implementing educational programs
25 under ss. ~~36.25~~ 37.25 (7), 59.56 (3) and 92.05.

*

****NOTE: Given that s. 36.25 (7) is transferred to s. 37.25 (7), is it okay to refer to both the UW and the UW System in the above? *No*

1 **SECTION 405.** 93.33 (4) of the statutes is amended to read:

2 93.33 (4) ASSISTANCE. The department of agriculture, trade and consumer
3 protection, the department of public instruction, the department of workforce
4 development, the department of natural resources, the technical college system, the
5 College of Agricultural and Life Sciences of the University of ~~Wisconsin-Madison~~
6 Wisconsin, the School of Veterinary Medicine of the University of
7 ~~Wisconsin-Madison~~ Wisconsin, the College of Business, Industry, Life Science, and
8 Agriculture of the University of Wisconsin-Platteville, the College of Agriculture,
9 Food, and Environmental Sciences of the University of Wisconsin-River Falls, and
10 the College of Natural Resources of the University of Wisconsin-Stevens Point may
11 assist the council in performing its functions.

12 **SECTION 406.** 93.33 (5) (intro.) of the statutes is amended to read:

13 93.33 (5) (intro.) ANNUAL REPORT. In September of each year, the council shall
14 submit a report to the appropriate standing committees of the legislature as
15 determined by the speaker of the assembly and the president of the senate, under s.
16 13.172 (3), the governor, the secretary of agriculture, trade and consumer protection,
17 the state superintendent of public instruction, the secretary of workforce
18 development, the secretary of natural resources, the secretary of commerce, the
19 president of the University of Wisconsin System, the director of the technical college
20 system, the chancellor of the University of Wisconsin-Extension, the chancellor of
21 the University of ~~Wisconsin-Madison~~ University of Wisconsin, the chancellor of the
22 University of Wisconsin-Platteville, the chancellor of the University of

1 **SECTION 420.** 111.81 (15m) of the statutes is amended to read:

2 111.81 (15m) "Program assistant" or "project assistant" means a graduate
3 student enrolled in the University of Wisconsin or University of Wisconsin System
4 who is assigned to conduct research, training, administrative responsibilities or
5 other academic or academic support projects or programs, except regular
6 preparation of instructional materials for courses or manual or clerical assignments,
7 under the supervision of a member of the faculty or academic staff, as defined in s.
8 36.05 (1) or (8) ⁶or 37.01 (5), primarily for the benefit of the university, faculty or
9 academic staff supervisor or a granting agency. "Project assistant" or "program
10 assistant" does not include a graduate student who does work which is primarily for
11 the benefit of the student's own learning and research and which is independent or
12 self-directed.

****NOTE: What changes are necessary to account for elimination of term "academic
staff" from ch. 37?

*We are putting "academic staff" back in -
37.01 (3) definitions*

13 **SECTION 421.** 111.81 (17m) of the statutes is amended to read:

14 111.81 (17m) "Research assistant" means a graduate student enrolled in the
15 University of Wisconsin or University of Wisconsin System who is receiving a stipend
16 to conduct research that is primarily for the benefit of the student's own learning and
17 research and which is independent or self-directed, but does not include students
18 provided fellowships, scholarships, or traineeships which are distributed through
19 other titles such as advanced opportunity fellow, fellow, scholar, or trainee, and does
20 not include students with either an F-1 or a J-1 visa issued by the federal
21 department of state.

22 **SECTION 422.** 111.81 (19m) of the statutes is amended to read:

1 111.81 (19m) "Teaching assistant" means a graduate student enrolled in the
2 ~~University of Wisconsin or~~ University of Wisconsin System who is regularly assigned
3 teaching and related responsibilities, other than manual or clerical responsibilities,
4 under the supervision of a member of the faculty as defined in s. 36.05 (8) ~~or 37.01~~
5 (5).

6 SECTION 423. 111.825 (2) (a) of the statutes is amended to read:

7 111.825 (2) (a) The program, project and teaching assistants of the University
8 of ~~Wisconsin-Madison~~ Wisconsin and the University of Wisconsin-Extension.

 ****NOTE: Is the above okay, or should we delete the UW? ~~OK~~

9 SECTION 424. 111.825 (2) (g) of the statutes is amended to read:

10 111.825 (2) (g) Research assistants of the University of ~~Wisconsin-Madison~~
11 Wisconsin and University of Wisconsin-Extension.

 ****NOTE: Is the above okay, or should we delete the UW? ~~OK~~

12 SECTION 425. 111.825 (6) of the statutes is amended to read:

13 111.825 (6) The commission shall only assign an employee of the department
14 of administration, department of transportation, Board of Trustees of the University
15 of Wisconsin, or ~~board of regents~~ Board of Regents of the University of Wisconsin
16 System who engages in the detection and prevention of crime, who enforces the laws
17 and who is authorized to make arrests for violations of the laws; an employee of the
18 department of administration, department of transportation, Board of Trustees of
19 the University of Wisconsin, or ~~board of regents~~ Board of Regents of the University
20 of Wisconsin System who provides technical law enforcement support to such
21 employees; and an employee of the department of transportation who engages in
22 motor vehicle inspection or operator's license examination to the collective
23 bargaining unit under sub. (1) (cm).

1 **SECTION 426.** Subchapter VI (title) of chapter 111 [precedes 111.95] of the
2 statutes is amended to read:

3 **CHAPTER 111**

4 **SUBCHAPTER VI**

5 **UNIVERSITY OF WISCONSIN AND**

6 **UNIVERSITY OF WISCONSIN SYSTEM**

7 **FACULTY AND ACADEMIC STAFF LABOR RELATIONS**

8 **SECTION 427.** 111.95 (intro.) of the statutes is amended to read:

9 **111.95 Declaration of policy.** (intro.) The public policy of the state as to labor
10 relations and collective bargaining involving faculty and academic staff at the
11 University of Wisconsin and University of Wisconsin System, in furtherance of which
12 this subchapter is enacted, is as follows:

 ***NOTE: What changes are necessary to account for elimination of the term
 "academic staff" from ch. 37?

13 **SECTION 428.** 111.98 (1) (a) of the statutes is repealed. *→ Reinstate; only delete the word "Madison"*

14 **SECTION 429.** 111.98 (1) (j) of the statutes is amended to read:

15 111.98 (1) (j) Academic ~~[staff of the University of Wisconsin-Madison and~~
16 ~~academic~~ staff employed at the University of Wisconsin System administration.

17 **SECTION 430.** 111.98 (2) (a) of the statutes is amended to read:

18 111.98 (2) (a) Notwithstanding sub. (1), 2 or more collective bargaining units
19 described under sub. (1) ~~(a)~~ (b) to (r) may be combined into a single unit. If 2 or more
20 collective bargaining units seek to combine into a single collective bargaining unit,
21 the commission shall, upon the petition of at least 30 percent of the employees in each
22 unit, hold an election, or include on any ballot for an election held under s. 111.990
23 (2) the question of whether to combine units, to determine whether a majority of

→ we need to
talk
about
111
Subchapter.
May need
separate
subchapter.

1 118.55 (1) DEFINITION. In this section, "institution of higher education" means
2 an institution within the University of Wisconsin System, the University of
3 Wisconsin, a tribally controlled college or a private, nonprofit institution of higher
4 education located in this state.

5 **SECTION 438.** 118.55 (5) (a) of the statutes is amended to read:

6 118.55 (5) (a) If the pupil is attending an institution within the University of
7 Wisconsin System or the University of Wisconsin, the actual cost of tuition, fees,
8 books and other necessary materials directly related to the course.

9 **SECTION 439.** 125.02 (3m) of the statutes is amended to read:

10 125.02 (3m) "Campus" has the meaning given under s. 36.05 (3) and s. 37.01
11 (4).

12 **SECTION 440.** 146.59 (2) (b) of the statutes is amended to read:

13 146.59 (2) (b) If a contractual services agreement is terminated under s. 233.04
14 (4m) (b), the University of Wisconsin Hospitals and Clinics Board may negotiate and
15 enter into a contractual services agreement with the University of Wisconsin
16 Hospitals and Clinics Authority or the ~~board of regents~~ Board of Trustees of the
17 University of Wisconsin System under s. 233.04 (4m) (b).

18 **SECTION 441.** 160.50 (1m) of the statutes is amended to read:

19 160.50 (1m) FUNDING FOR GROUNDWATER RESEARCH. The groundwater
20 coordinating council shall advise the secretary of administration on the allocation of
21 funds appropriated to the ~~board of regents~~ Board of Regents of the University of
22 Wisconsin System under s. 20.285 (1) (a) and the Board of Trustees of the University
23 of Wisconsin under s. 20.280 (1) (a) for groundwater research.

****NOTE: Is the reference to the appropriation under s. 20.280 (1) (a) okay? yes

24 **SECTION 442.** 165.25 (8r) of the statutes is created to read:

1 227.01 (1) "Agency" means a board, commission, committee, department or
2 officer in the state government, except the governor, a district attorney, or a military
3 or judicial officer, and in subch. II includes the Board of Trustees of the University
4 of Wisconsin with respect to rules promulgated under s. 37.11 (1m) (a), (c), and (cm)
5 and (8).

 ****NOTE: Are any changes to ch. 227 necessary for contested cases? **NO**

6 **SECTION 445.** 230.03 (3) of the statutes is amended to read:

7 230.03 (3) "Agency" means any board, commission, committee, council, or
8 department in state government or a unit thereof created by the constitution or
9 statutes if such board, commission, committee, council, department, unit, or the
10 head thereof, is authorized to appoint subordinate staff by the constitution or
11 statute, except a legislative or judicial board, commission, committee, council,
12 department, or unit thereof or an authority created under subch. II of ch. 114 or
13 subch. III of ch. 149 or under ch. 37, 52, 231, 232, 233, 234, 235, 237, or 279. "Agency"
14 does not mean any local unit of government or body within one or more local units
15 of government that is created by law or by action of one or more local units of
16 government.

17 **SECTION 446.** 233.01 (3) of the statutes is repealed.

18 **SECTION 447.** 233.01 (3m) of the statutes is created to read:

19 233.01 (3m) "Board of Trustees" means the Board of Trustees of the University
20 of Wisconsin.

21 **SECTION 448.** 233.01 (6) of the statutes is amended to read:

22 233.01 (6) "Lease agreement" means the lease agreement that is required to
23 be entered into between the board of directors and the ~~board of regents~~ Board of

1 ~~Trustees~~ under s. 233.04 (7) or a lease agreement that is entered into between the
2 board of directors and the ~~board of regents~~ Board of Trustees under s. 233.04 (7g).

3 **SECTION 449.** 233.01 (7) of the statutes is amended to read:

4 233.01 (7) "On-campus facilities" means facilities that are located on land
5 owned by the state ~~or the University of Wisconsin~~, that are under the control of the
6 ~~board of regents~~ Board of Regents of the University of Wisconsin System or the Board
7 of Trustees and that are primarily related to the operation of the University of
8 Wisconsin Hospitals and Clinics and its related services.

****NOTE: This treatment, together with s. 13.48 (28), stats., maintains existing law
that requires the Building Commission to avoid contracting state debt for facilities
intended for use by UWHCA that would be located on existing campus property.

****NOTE: Is it necessary to refer to the Board of Regents in the above? **NO**

9 **SECTION 450.** 233.02 (1) (b) of the statutes is amended to read:

10 233.02 (1) (b) Three members of the ~~board of regents~~ Board of Trustees
11 appointed by the ~~president~~ chairperson of the ~~board of regents~~ Board of Trustees.

12 **SECTION 451.** 233.02 (1) (c) of the statutes is amended to read:

13 233.02 (1) (c) The chancellor of the University of ~~Wisconsin-Madison~~
14 Wisconsin or his or her designee.

15 **SECTION 452.** 233.02 (1) (d) of the statutes is amended to read:

16 233.02 (1) (d) The dean of the University of ~~Wisconsin-Madison Medical~~
17 Wisconsin School of Medicine and Public Health.

18 **SECTION 453.** 233.02 (1) (e) of the statutes is amended to read:

19 233.02 (1) (e) A chairperson of a department at the University of
20 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
21 appointed by the chancellor of the University of ~~Wisconsin-Madison~~ Wisconsin.

22 **SECTION 454.** 233.02 (1) (f) of the statutes is amended to read:

1 233.02 (1) (f) A faculty member of a University of ~~Wisconsin-Madison~~
2 ~~Wisconsin~~ health professions school, other than the University of
3 ~~Wisconsin-Madison Medical~~ Wisconsin School of Medicine and Public Health,
4 appointed by the chancellor of the University of ~~Wisconsin-Madison~~ Wisconsin.

5 **SECTION 455.** 233.03 (2) of the statutes is amended to read:

6 233.03 (2) Sue and be sued; have a seal and alter the seal at pleasure; have
7 perpetual existence; maintain an office; negotiate and enter into leases; accept gifts
8 or grants, but not including research grants in which the grant investigator is an
9 employee of the ~~board of regents~~ Board of Trustees; accept bequests or loans; accept
10 and comply with any lawful conditions attached to federal financial assistance; and
11 make and execute other instruments necessary or convenient to the exercise of the
12 powers of the authority.

13 **SECTION 456.** 233.03 (10) of the statutes is amended to read:

14 233.03 (10) Enter into procurement contracts with the ~~board of regents~~ ^{to delete} or joint
15 contracts with the ~~board of regents~~ Board of Trustees for procurements from 3rd
16 parties and may enter into other contracts, rental agreements and cooperative
17 agreements and other necessary arrangements with the ~~board of regents~~ Board of
18 Trustees which may be necessary and convenient for the missions, purposes, objects
19 and uses of the authority authorized by law. *

20 **SECTION 457.** 233.04 (1) of the statutes is amended to read:

21 233.04 (1) By October 1, 1997, and annually thereafter, submit to the chief
22 clerk of each house of the legislature under s. 13.172 (2), the ~~president~~ chairperson
23 of the ~~board of regents~~ Board of Trustees, the secretary of administration and the
24 governor a report on the patient care, education, research and community service

1 233.04 (7p) (b) If the committee does not approve an extension or renewal of
2 the agreement, the on-campus facilities and any improvements, modifications or
3 other facilities specified in sub. (7) (c) shall transfer to the ~~board of regents~~ Board of
4 Trustees.

5 **SECTION 471.** 233.05 (1) (a) 1. of the statutes is amended to read:

6 233.05 (1) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees
7 adopts a resolution opposing the automatic extensions or the joint committee on
8 finance takes action opposing the automatic extensions.

9 **SECTION 472.** 233.05 (2) (a) 1. of the statutes is amended to read:

10 233.05 (2) (a) 1. The board of directors or the ~~board of regents~~ Board of Trustees
11 adopts a resolution opposing the automatic extension or the joint committee on
12 finance takes action opposing the automatic extension.

13 **SECTION 473.** 233.10 (3r) (b) 3. of the statutes is amended to read:

14 233.10 (3r) (b) 3. Grant to the carry-over employee, except when he or she is
15 on an unpaid leave of absence, a paid holiday on each of the days specified as a
16 holiday in policies and procedures established by the board of regents under s. 36.15
17 (2) as of the last day of the employee's employment as a state employee and any
18 holiday compensatory time off that may be specified in policies and procedures
19 established by the ~~board of regents~~ Board of Regents of the University of Wisconsin
20 System under s. 36.15 (2) as of the last day of the employee's employment in the
21 academic staff appointment.

 ****NOTE: Are the references to the UW System Board of Regents in s. 233.10 (3r)
 (b) 3., 5., and 6. okay? *yes*

22 **SECTION 474.** 233.10 (3r) (b) 5. of the statutes is amended to read:

1 233.10 (3r) (b) 5. Grant to the carry-over employee military leave, treatment
2 of military leave, jury service leave and voting leave in accordance with policies and
3 procedures established by the ~~board of regents~~ Board of Regents of the University
4 of Wisconsin System under s. 36.15 (2) and, as of the last day of the employee's
5 employment in the academic staff appointment.

6 **SECTION 475.** 233.10 (3r) (b) 6. of the statutes is amended to read:

7 233.10 (3r) (b) 6. Grant to the carry-over employee the same opportunity for
8 any employee training that may be provided under policies and procedures
9 established by the ~~board of regents~~ Board of Regents of the University of Wisconsin
10 System under s. 36.15 (2) as of the last day of his or her employment in the academic
11 staff appointment.

12 **SECTION 476.** 233.17 (2) (a) of the statutes is amended to read:

13 233.17 (2) (a) No officer, employee or agent of the ~~board of regents~~ Board of
14 Trustees, including any student who is enrolled at the University of Wisconsin or an
15 institution within the University of Wisconsin System, is an agent of the authority
16 unless the officer, employee or agent acts at the express written direction of the
17 authority.

18 **SECTION 477.** 233.17 (2) (b) of the statutes is amended to read:

19 233.17 (2) (b) Notwithstanding par. (a), no member of the faculty or ~~academic~~
20 staff of the University of Wisconsin System, acting within the scope of his or her
21 employment, may be considered, for liability purposes, as an agent of the authority.

22 **SECTION 478.** 250.20 (2) (d) of the statutes is amended to read:

23 249.19 - please see change noted on spreadsheet
250.20 (2) (d) Work closely with all state agencies, including the ~~board of~~

24 ~~regents~~ Board of Regents of the University of Wisconsin System and the technical
25 college system board, with the Board of Trustees of the University of Wisconsin, with

1 255.05 (1) (d) "Public agency" means a county, city, village, town or school
2 district, the University of Wisconsin, or an agency of this state or of a county, city,
3 village, town or school district.

4 **SECTION 485.** 255.054 (1) of the statutes is amended to read:

5 255.054 (1) The Medical College of Wisconsin, Inc., and the University of
6 Wisconsin Comprehensive Cancer Center shall use the moneys appropriated under *check*
7 ss. 20.250 (2) (h) and ~~20.285~~ 20.280 (1) (gn) for prostate cancer research projects. *appropriation*
8 These moneys may not be used to supplant funds available for prostate cancer
9 research from other sources.

 ****NOTE: Is the appropriation change okay?

10 **SECTION 486.** 255.054 (2) of the statutes is amended to read:

11 255.054 (2) Annually by January 1, the Medical College of Wisconsin, Inc., and
12 the Board of ~~Regents~~ Trustees of the University of Wisconsin ~~System~~ shall each
13 report to the appropriate standing committees of the legislature under s. 13.172 (3)
14 and to the governor on the prostate cancer research projects each has conducted
15 under sub. (1) in the previous fiscal year.

16 **SECTION 487.** 255.055 (1) of the statutes is amended to read:

17 255.055 (1) The Medical College of Wisconsin, Inc., and the University of
18 Wisconsin Comprehensive Cancer Center shall use the moneys appropriated under *check*
19 ss. 20.250 (2) (g) and ~~20.285~~ 20.280 (1) (gm) for breast cancer research projects. These *appropriation*
20 moneys may not be used to supplant funds available for breast cancer research from
21 other sources.

 ****NOTE: Is the appropriation change okay?

22 **SECTION 488.** 255.055 (2) of the statutes is amended to read:

1 895.46 (10) An officer, director, employer, or agent of the Board of Trustees of
2 the University of Wisconsin is a state officer, employer, or agent for the purposes of
3 this section.

 ****NOTE: The instructions require making s. 895.46 (1) applicable to the UW.
However, under the above, all of s. 895.46 is applicable. Is that okay? yes.

4 **SECTION 518.** 895.515 (1) (b) of the statutes is amended to read:

5 895.515 (1) (b) "Institution of higher education" means an institution within
6 the University of Wisconsin System, the University of Wisconsin, a technical college,
7 or a private, nonprofit institution of higher education located in this state.

8 **SECTION 519.** 946.13 (12) (b) (intro.) of the statutes is amended to read:

9 946.13 (12) (b) (intro.) Subsection (1) does not apply to a contract between a
10 research company and the University of Wisconsin System or any institution or
11 college campus within the system for purchase of goods or services, including
12 research, if all of the following apply:

13 **SECTION 520.** 946.13 (13) of the statutes is created to read:

14 946.13 (13) (a) In this subsection, "research company" means an entity engaged
15 in commercial activity that is related to research conducted by an employee or officer
16 of the University of Wisconsin or to a product of such research.

17 (b) Subsection (1) does not apply to a contract between a research company and
18 the University of Wisconsin for purchase of goods or services, including research, if
19 all of the following apply:

20 1. The contract is approved by a University of Wisconsin employee or officer
21 responsible for evaluating and managing potential conflicts of interest.

22 2. Either of the following apply:

1 a. The contract together with all other contracts between the same parties
2 require less than \$250,000 in payments over a 24-month period.

3 b. The University of Wisconsin submits the contract to the Board of Trustees
4 of the University of Wisconsin and, within 45 days, the Board of Trustees determines
5 that the contract benefits the state and any conflicts of interest are appropriately
6 managed by the University of Wisconsin.

7 (c) Paragraphs (a) and (b) apply regardless of the date on which a contract was
8 entered into.

9 **SECTION 9152. Nonstatutory provisions; University of Wisconsin**
10 **System.**

11 (1) TRANSFER OF UNIVERSITY OF WISCONSIN-MADISON.

12 (a) *Definitions.* In this subsection:

- 13 1. "Authority" means the University of Wisconsin.
14 2. "Board of trustees" means the board of trustees of the authority.
15 3. "Board of regents" means the board of regents of the system.
16 4. "Secretary" means the secretary of administration.
17 5. "System" means the University of Wisconsin System.

18 (b) *Assets and liabilities.* On the effective date of this paragraph, the assets and
19 liabilities of the system, including real property and moneys in the university trust
20 funds, that relate to the operation of the University of Wisconsin-Madison, as
21 determined by the secretary, shall become the assets and liabilities of the authority.

22 (c) *Tangible personal property; records.* On the effective date of this paragraph,
23 all tangible personal property, including records, of the system that relates to the
24 operation of the University of Wisconsin-Madison, as determined by the secretary,
25 is transferred to the ^{authority.}~~division~~.

1 (d) *Employees.* All incumbent employees holding positions in the system
2 ~~performing duties primarily related to the operation of~~ ^{assigned to} the University of
3 Wisconsin-Madison, ~~as determined by the secretary of administration,~~ are
4 transferred on the effective date of this paragraph to the authority. The authority
5 shall adhere to the terms of any collective bargaining agreement covering the
6 employees that is in force on the effective date of this paragraph, including terms
7 relating to employer payment of any employee required contributions under the
8 Wisconsin Retirement System and employer payment of any health insurance
9 premiums on behalf of employees. Upon termination of the collective bargaining
10 agreement, the authority shall establish the compensation and benefits of the
11 employees under section 233.10 (2) of the statutes or, if the agreement expires after
12 June 30, 2012, under the terms of the personnel system established by the board of
13 trustees under section 37.11 (1g) of the statutes, as created by this act.

need to
discuss.
Ref. to
233.10 is
not correct -
Need additional
discussion
Should it
be 230.10?

14 (e) *Contracts and agreements.* 1. All contracts entered into by the board of
15 regents in effect on the effective date of this paragraph that are primarily related to
16 the operation of the University of Wisconsin-Madison, as determined by the
17 secretary of administration, remain in effect and are transferred to the board of
18 trustees.

~~Agreements entered into between the board of regents and the Board of~~

19 2. All agreements entered into between the board of regents and the Board of
20 Directors of the University of Wisconsin Hospitals and Clinics Authority under
21 section 233.04 (7) and (7m) of the statutes in effect on the effective date of this
22 paragraph remain in effect and are transferred to the board of trustees.

23 3. The board of trustees shall carry out any obligations under such contracts
24 and agreements until the contract or agreement is modified or rescinded by the board
25 of trustees to the extent allowed under the contract or agreement.

1 (f) *Policies and procedures.* All^{rules,} policies and procedures of the system that are
2 in effect on the effective date of this paragraph, and that relate to the operation of
3 the University of Wisconsin-Madison, and all policies and procedures of the
4 University of Wisconsin-Madison that are in effect on the effective date of this
5 paragraph, become policies and procedures of the authority and remain in effect
6 until their specified expiration date or until modified or rescinded by the board of
7 trustees.

8 (g) *Pending matters.* Any matter pending with the board of regents on the
9 effective date of this paragraph that is primarily related to the operation of the
10 University of Wisconsin-Madison, as determined by the secretary of administration,
11 is transferred to the board of trustees and all materials submitted to or actions taken
12 by the board of regents with respect to the pending matters are considered as having
13 been submitted to or taken by the board of trustees.

14 **SECTION 9155. Nonstatutory provisions; Other.**

insert new (h) and
(i). See attached

15 (1) UNIVERSITY OF WISCONSIN EMPLOYEES. Notwithstanding section 230.03 (3)
16 of the statutes, the University of Wisconsin shall be considered an agency, as defined
17 in section 230.03 of the statutes, until July 1, 2012, for all purposes under chapter
18 230 of the statutes and all employees of the University of Wisconsin who were in the
19 classified service of the state civil service^{ice} and who were transferred to the authority
20 under SECTION 9152 (1) (d) shall have all the rights and privileges offered classified
21 employees until July 1, 2012.

22 **SECTION 9455. Effective dates; Other.**

23 (1) UNIVERSITY TRUST FUNDS. The repeal of section 20.280 (1) (zz) of the statutes
24 takes effect on July 1, 2013.

25

(END)

ADDITIONAL LANGUAGE:

Section 9152: Non-statutory provisions; University of Wisconsin System

(1) (h) Board of regents assistance and coordination. Notwithstanding paragraphs (1)(a) through (g), the board of regents shall continue to provide the Authority with those usual and customary services provided to the University of Wisconsin-Madison prior to the effective date and with such other resources and services to assist the board of trustees in carrying out the purposes and provisions of this Act until such time that the board of trustees notifies the board of regents that transition under this Act is complete.

Section 9152: Non-statutory provisions; University of Wisconsin Board of Trustees

(1) (i) Board of Trustees: Notwithstanding section 37.02, the selection of the initial board of trustees shall provide for staggered terms as follows:

Appointments under 37.02(1)(a)1

- Four appointments must be three-year terms
- Four appointments must be two-year terms
- Three appointments must be one-year terms

Appointments under 37.02(1)(a)2

- (a) One appointment must be three-year term and one appointment must be one-year term
- (b) Appointment must be three-year term
- (c) Two appointments must be three-year terms, two appointments must be two-year terms, two appointments must be one-year terms

Appointment under 37.02 (1)(a)3

- Appointment must be two-year term